



404 Rec'd PCT/PTO 12 NOV 1998
PCT/PCT/PTO 12 NOV 1998
PATENT

Case Docket No. VANMA83.001APC
Date: November 9, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Communi et al.

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

App. No. : 09/077,173

November 9, 1998

Filed : May 21, 1998


Neil S. Bartfeld, Ph.D., Reg. No. 39,901

For : RECEPTOR AND NUCLEIC
ACID MOLECULE
ENCODING SAID
RECEPTOR

Group Art Unit : Unknown

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

ATTENTION: BOX MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(d), which was mailed by the Office on October 23, 1998, enclosed are:

- (X) An executed Declaration by Inventor(s).
- (X) A Power of Attorney Form and Copy of Assignment.
- (X) A verified statement to establish small entity status under 37 CFR 1.9 and 1.27.
- (X) A Notice to File Missing Parts.
- (X) An Information Disclosure Statement.
- (X) PTO Form-1449 with 32 references.
- (X) Return prepaid postcard.

11/19/1998 P/D/LPE 00000070 09077173

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(X) Fees as calculated below:

| | | |
|--|--------|----------|
| FEE FOR EXTENSION OF TIME (LARGE ENTITY) | months | \$ 0 |
| SURCHARGE 37 CFR 1.16(e) | | \$ + 130 |
| TOTAL OF ABOVE CALCULATIONS | | \$ 130 |
| REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY. | | |
| Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 65 | | |
| TOTAL FEES SUBMITTED HEREWITH | | \$ 65 |

- (X) A check in the amount of \$65 to cover the above fees is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410. A duplicate copy of this sheet is enclosed.

A handwritten signature in black ink, appearing to read "Neil S. Barfield".

Neil S. Barfield, Ph.D.
Registration No. 39,901
Agent of Record

VANMA83.001A



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trade Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20591

12 NOV 1998

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U.S. APPLICATION NO.

09/077173

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

COMMUNI

D

VANMA83.001A

KNOBBE MARTENS, OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

COPY

INTERNATIONAL APPLICATION NO.

PCT/BE96/00123

I.A. FILING DATE

PRIORITY DATE

21 NOV 96

21 NOV 95

DATE MAILED: OCT 23 1998

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494).
 an Elected Office (37 CFR 1.495):
 U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed _____ and _____.
 Information Disclosure Statement(s) filed _____ and _____.
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____.
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(o)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

PCT/DO/EO/917

Notice of Defective Translation

PTO-875

NM PCT/DO/EO/905 (December 1997)

Paulette Kidwell, Paralegal

Telephone: 703-305-3656